

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:20-CR-125 SEP (PLC)
)	
ERVIN RAY HILL,)	
)	
Defendant.)	

**DEFENDANT ERVIN RAY HILL'S TENTH MOTION FOR EXTENSION OF TIME
TO FILE PRETRIAL MOTIONS**

COMES NOW Defendant Ervin Ray Hill ("Defendant"), by and through his attorney, James W. Schottel, Jr., and for his Tenth Motion for Extension of Time to File Pretrial Motions, and states to this Honorable Court as follows:

1. This case has a pretrial motion deadline set for today, December 21, 2020.
2. This case involves complicated issues of law as the police officers were called to Mr. Hill's location because of a Shot Spotter report. (*See* <https://www.shotspotter.com/>).
3. Based upon the undersigned's research and the factual statements made at the scene of the location where the seizure occurred, there is an outstanding issue of whether Mr. Hill's Fourth Amendment right's were violated.
4. The undersigned has begun preparation of a motion to suppress but needs additional time to have additional communications with counsel for the Government, additional time to conduct technical research into the Shot Spotter.
5. Defendant needs additional time to complete his motion to suppress and assure its compliance with this Honorable Court's Order concerning pretrial motions: in that the motion "shall set forth, with particularity, the item(s) of evidence to which the motion is addressed which

shall set forth specific factual details to support any claim that such evidence was unlawfully obtained.” (*See* Doc. #16, p. 2).

6. Lastly, although this is new technology and counsel could not locate cases on point addressing the issue presented in Mr. Hill’s case, defendant needs additional time to prepare a “memorandum of law setting forth the specific legal ground upon which it is contended that any such item of evidence was unlawfully obtained, with citations to authority.” *Id.* at p. 3.

7. Because of Mr. Hill’s recent medical issues, Mr. Hill has recently recovered to a point where meaningful conversations are ongoing regarding the factual details between the police officers and Mr. Hill.

8. Defendant hereby respectfully requests a brief final extension of the pretrial motion deadline of 14 days to **Monday, January 4, 2021**.

9. To deny Defendant's motion for additional time would deny counsel for Defendant the reasonable time necessary for effective preparation of a motion to suppress, taking into account the exercise of due diligence and that the ends of justice served by granting Defendant’s motion for additional time outweigh the best interests of the public.

10. This motion, the contents of it and the relief requested have been discussed with Mr. Hill and Mr. Hill agrees and concurs with this motion and the relief requested.

WHEREFORE, for the foregoing reasons, Defendant Ervin Ray Hill respectfully requests this Honorable Court to grant his Tenth Motion for Extension of Time to File Pretrial Motions by Monday, January 4, 2021 and for such other and further relief this Honorable Court deems just and proper under the circumstances.

Respectfully submitted,

SCHOTTEL & ASSOCIATES, P.C.

BY: s/James W. Schottel, Jr.

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Attorney for Defendant
Ervin Ray Hill

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2020 the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

Gregory Goodwin
gregory.goodwin@usdoj.gov

Attorney for Plaintiff
United States of America

s/James W. Schottel, Jr.